

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

W FILED
AUG 18 2000
U.S. DISTRICT COURT
EASTERN DISTRICT OF MO
ST. LOUIS

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) No. 4:98CR177 DJS ✓
)
CHARLES THOMAS SELL,) 4:97CR290 DJS
) (Consolidated)
)
Defendant.)

MEMORANDUM

The undersigned has carefully considered the matters raised in the defendant's motion for reconsideration filed on August 17, 2000, and has reviewed its prior order and the record in this matter, in view of this motion.

One of the reasons stated by the defendant for reconsideration of the court's order, is that the court erroneously found that the side effect known as taurine dyskinesia is "not permanent." Although it is the court's understanding, based on the record, that taurine dyskinesia as well as dystonic reaction (both of which involve the involuntary movement of body parts), are not permanent, even if taurine dyskinesia is a potential long-term side effect, the undersigned, nevertheless, concludes that the potential benefit of treatment far outweighs any risk, and that the government has (as detailed in the court's prior memorandum) demonstrated in a very strong manner, an overriding need for the treatment with anti-psychotic drugs, and has shown that no less restrictive measures exist to effectively treat the defendant. The undersigned has also carefully considered all of the other matters contained in the defendant's motion and has determined that the defendant's motion for reconsideration should be denied.

Accordingly,

IT IS HEREBY ORDERED that (Doc. No. 369) Defendant's Motion for Reconsideration of the Court's Order Compelling Defendant's Involuntary Medication, to Reopen the Court's September 29, 1999 Hearing on Involuntary Medication, and to Compel the Production of Certain Evidence be **denied**.


T. Lee D. Allen
UNITED STATES MAGISTRATE JUDGE

Dated this 18th day of August, 2000.

UNITED STATES DISTRICT COURT -- EASTERN MISSOURI
INTERNAL RECORD KEEPING

AN ORDER, JUDGMENT OR ENDORSEMENT WAS SCANNED, FAXED AND/OR MAILED TO THE FOLLOWING INDIVIDUALS ON 08/18/00 by kstamm
4:98cr177 USA vs Sell

COPIES FAXED AND/OR MAILED TO THE PARTIES LISTED BELOW AND THE UNITED STATES PROBATION OFFICE AND UNITED STATES PRETRIAL SERVICE OFFICE. IF THIS IS A JUDGMENT IN A CRIMINAL CASE SEND CERTIFIED COPIES TO THE FOLLOWING:
4 Certified Copies to USM
2 Certified Copies to USP
1 Copy to Financial
1 Copy to O.S.U.

Linda Hogan - 69095	Fax: 314-721-1710
Lee Lawless - 3650	Fax: 314-421-3177
Howard Marcus - 16980	Fax: 314-539-7695
Arthur Margulis - 7883	Fax: 314-721-1710
Barry Short - 4358	Fax: 314-241-6056

SCANNED & FAXED BY:

AUG 18 2000

C. D. D.